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Summary record of the 2785th meeting
Held at Headquarters, New York, on Tuesday, 22 March 2011, at 10 a.m.

Chairperson: Ms. Majodina

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The meeting was called to order at 10.05 a.m.

Consideration of reports submitted by States parties under article 40 of the Covenant (*continued*)

Fifth periodic report of Mongolia (*continued*) (CCPR/C/MNG/5; CCPR/C/MNG/Q/5 and CCPR/C/MNG/Q/5/Add.1)

1. *At the invitation of the Chairperson, the members of the delegation of Mongolia took places at the Committee table.*

2. **The Chairperson** invited the members of the Committee to continue to pose follow-up questions in connection with questions 1 to 16 in the list of issues (CCPR/C/MNG/Q/5).

3. **Mr. Flinterman**, referring to the issue of discrimination against women, asked whether marital rape had been criminalized since the publication of the periodic report. As domestic violence, which affected one in three women in Mongolia, was linked to stereotypical thinking about a woman's place in society, he wondered what programmes and policies had been put in place to influence societal attitudes. He would also like to know what steps had been taken to encourage women to report rape and to ensure that cases were investigated and prosecuted. Lastly, in view of the persistence of high maternal mortality rates in rural Mongolia, he wondered what policies and programmes had been implemented there to reduce the persistently high rates of maternal mortality in rural areas.

4. **Mr. Salvioli** said that Mongolia apparently did not have a register of hate crimes. He expressed dismay that neither the courts nor the National Human Rights Commission had taken action on complaints of such crimes, or on complaints of torture or ill-treatment, leaving the victims with no effective recourse. Given the numerous incidents of torture or ill-treatment mentioned in non-governmental organization (NGO) and United Nations reports, it was strange that Mongolian investigators had found no evidence of them. When torture or ill-treatment was alleged, it was important for the State to follow accepted procedures to identify, prosecute and penalize such incidents, as set out in the Istanbul Protocol.

5. **Ms. Keller** asked again whether Mongolia intended to criminalize marital rape and sexual harassment and what steps the State party would take to ensure that public officials were fully aware of the legal provisions relating to violence against women. At the previous meeting, the delegation had said that the draft legislation on gender equality to be introduced at the spring session of Parliament would not be fully effective until 2013. If it took two years for a draft law to go before Parliament, be enacted and enter into force, then the draft legislation referred to at the previous meeting would not take effect for a very long time.

6. **Mr. Bayasgalan** (Mongolia), responding to the suggestion that the Convention might not be invoked in Mongolian courts simply because it was not well known, said that in 2008 the Supreme Court had issued a very precise decision requiring the courts to apply international treaties and conventions. However, for that decision to have the proper impact, a public information campaign should be launched and training provided for court staff and judges. The Ministry of Justice and Home Affairs was working to improve public understanding of the Supreme Court ruling.

7. In response to the question about the appointment of National Human Rights Commissioners, he said that the three commissioners were nominated by the President, the Standing Committee on Legal Affairs and the Supreme Court, respectively, and approved by Parliament at its plenary session. Commissioners served six-year terms.

8. Replying to the questions regarding the July 2008 events, he said that the 270 people punished had been tried in different courts because, while a case was normally heard in the jurisdiction where the alleged offence had been committed, the Supreme Court could reassign it to the jurisdiction of the suspect's place of residence to ease the workload of an overburdened court. With respect to the compensation of victims of the July 2008 riot, the courts had applied the existing Law on Granting Compensation to Victims to compensate the police officers and the public institution for injury and property damages. Lastly, while the courts were required by law to consider cases submitted by the Prosecutor-General's Office, they did not have to rule on them.

9. Turning to Mr. Flinterman's questions, he said that marital rape was a matter of great dispute in the legal community and among academics in Mongolia. Although a Ministry working group was drafting the related Criminal Code amendments, he could not

guarantee that either marital rape or sexual harassment would be criminalized.

10. He agreed that much remained to be done to combat domestic violence, despite aggressive efforts by Mongolian NGOs and the State. The 2004 Law on Combating Family Violence provided various services for victims, including legal counsel. The fault lay not in the legislation but in its implementation, which could be improved by providing training for police officers and changing attitudes within law enforcement.

11. The State gave high priority to reducing maternal mortality and had specific mortality reduction goals. However, its ability to create the infrastructure needed to serve vast, sparsely populated rural areas depended greatly on financial resources. It was essential to expand the State-run ambulance network to provide prompt service to rural communities nationwide. Mongolia had a maternity clinic in each *soum* (sub-province), with a more sophisticated facility at the *aimag* (province) level, and was continuing to open new clinics in order to increase the number of beds and improve conditions. A major goal of its Healthy Mongolian programme, implemented in partnership with the World Health Organization, was to improve maternal health and reduce maternal mortality.

12. With regard to measures taken to combat hate crimes, Mongolia had no specific provision in its Criminal Code for such crimes. That issue had been raised during the consideration of Mongolia's initial report under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and Mongolia might find the assistance of the relevant United Nations bodies useful in making the necessary amendments to its Criminal Code.

13. With respect to measures taken to prosecute torture, the public had become very conscious of that issue since Mongolia's accession to the Convention against Torture, although efforts to increase public awareness were continuing. In addition to providing training courses, Mongolia was working to establish a legal definition of torture. It was unclear whether the Investigation Unit of the Prosecutor-General's Office was capable of processing torture complaints effectively, and it might be necessary to amend the law to establish a specialized institution. He was confident that his country would be able to report progress in its next periodic report.

14. He agreed that, as part of its efforts to combat discrimination and violence against women, Mongolia needed to introduce a culture of non-tolerance of violence against women in its public institutions. Regarding the delay in implementing the gender equality legislation, some provisions would be enforced as soon as it was enacted, but others would be implemented gradually. For example, one provision set quotas for women in certain public employment categories, but in the case of heads of government agencies, the number of women heads would be adjusted upward only when a new Government was formed following parliamentary elections in 2011.

15. **The Chairperson** invited the members of the Committee to put questions to the delegation in connection with questions 17 to 29 in the list of issues.

16. **Mr. Iwasawa**, referring to question 17 on human trafficking, said he wondered when the bill on combating human trafficking might become law and whether the State party had a mechanism to protect witnesses and victims of human trafficking at all stages of the investigation and prosecution. He asked whether funds would be budgeted to support the NGO-run shelters for victims of human trafficking.

17. Although it had been part of the Criminal Code since 2002, article 113 on human trafficking was often overlooked by the courts in favour of article 124 on the lesser crime of inducing and organizing prostitution. The written reply indicated that the preference for article 124 was an issue of *corpus delicti*, but the Committee wondered if there were other reasons. Also, a 2008 amendment to article 113 changing the title from "Purchase and sale of humans" to "Human trafficking" reportedly released entities who had purchased a human being from criminal liability. He would like to know if that interpretation was correct and, if so, the rationale behind the amendment. He would also like to know why most cases of human trafficking were dismissed. Lastly, referring to reports that law enforcement officials had helped traffickers to identify potential victims and that high-level public officials were clients of minors forced into prostitution, he asked the delegation to comment on allegations that the State had not investigated or taken administrative or disciplinary action against the officials in question.

18. Turning to question 29 on steps taken to disseminate information about the Covenant, he wondered about the nature of the training given to

judges and whether training was provided for prosecutors, advocates and law enforcement officials.

19. **Mr. Thelin** asked again how many acquittals there had been among the 270 cases prosecuted in connection with the July 2008 riot. The extent to which there were acquittals had a bearing on question 18 on measures taken to combat corruption in the judiciary, which was perceived by the public to be the most corrupt sector of government.

20. Corruption in the judiciary was related to the broader concept of the independence of the judiciary, and he wondered whether the separation of powers enshrined in the Constitution of Mongolia was maintained in practice. The judiciary was reportedly subject to considerable executive branch and hierarchical pressure. He would like reassurances of the absence of ties between the executive and the Supreme Court, as well as information on the status of the 2009 presidential initiative to enhance the independence and transparency of the judiciary, including when one might expect results.

21. According to the report, the function of the General Council of Courts was to ensure the independence of the judiciary, and he was curious about its composition and its role in the appointment of judges as well as in disciplinary actions against them. He would also like to know whether the Anti-Corruption Agency mentioned in the written reply dealt with corruption in the judiciary.

22. He wished to express strong concern regarding the case of Mr. Bat-Yalalt, a human rights defender who had been convicted of defamation and sentenced to four months in prison in 2009 for contending that his client's human rights had been violated in a court case. The Committee had encouraged the decriminalization of defamation laws, and using them to stifle criticism was a violation of freedom of expression.

23. Further to the legal aid issue addressed in question 19, he was encouraged by the progress made on providing legal assistance and was certain that the State was doing its utmost to remedy the shortage of advocates. However, the Law on Advocacy did not provide for legal assistance as such, and it appeared necessary either to reform the Law or to adopt a new one. He would appreciate the delegation's comments on that matter.

24. **Mr. Salvioli**, referring to question 20 on alternatives to military service, wondered whether there had been any prosecutions of conscientious objectors before provisions had been made for alternative service and, if so, whether they had resulted in convictions still standing. In addition, as the two years of alternative service included six month's physical service, he would appreciate clarification on the remaining year and a half. He would also like to know why alternative service was performed under military command. Furthermore, if it was possible to pay to be excused from alternative service, such a practice would constitute discrimination against those less able to pay. Lastly, he would like to know if any cases of torture or ill-treatment during military service had been investigated and, additionally, if such cases could be heard in civilian courts.

25. In question 21, the Committee had asked the State if religious institutions seeking to register or re-register faced difficulties in obtaining a permit to conduct religious activities. He would appreciate an answer to that question, rather than a description of the applicable legal provisions.

26. In connection with question 27 regarding participation in parliamentary and presidential elections, he would also like to know about mechanisms for providing electoral transparency and external monitoring. He wondered why the 30 per cent quota for women members of Parliament had been repealed, especially since the proportion of women members had declined to 4 per cent. He also wondered when the State Great Khural elections bill, which contained a provision allowing Mongolian citizens residing abroad to participate in parliamentary elections, was likely to become law. Lastly, he asked whether all detainees could vote regardless of their offence or the status of their case.

27. **Ms. Keller**, referring to question 22 on the freedom of information bill, wondered why there had been a nine-year delay in passing a law on freedom of information. It would be useful to hear about the main features of the new bill, when it would be submitted to Parliament and the potential obstacles to its passage. She would also appreciate the delegation's comments on NGO reports that national and local media continued to be subjected to government and political party harassment, extensive use of libel cases and frequent tax audits.

28. Referring to the State's reply to question 23 on citizenship issues, she found it odd, given Mongolia's geographic location, that no foreign citizens or stateless persons had requested asylum since 2001. She would appreciate figures, either orally or in writing, on how many children born in Mongolia to non-Mongolian parents had applied for citizenship during the reporting period, as well as the average time required to process such applications, especially in view of an NGO report that the process of reinstating citizenship for returning Kazakh Mongolians took between 9 and 13 years. She wondered whether the State's recognition of the right of return of Kazakh Mongolians implied that returning Kazakhs could reacquire citizenship.

29. With respect to question 28 on the education of Kazakh children, she expressed concern that, according to an NGO report, there was still no access to education in the Kazakh language outside Bayan-Ulgii *aimag*, where, on the other hand, the schools did not teach Mongolian, which was essential for reading official documents. She would like to know, in general, what the education programme for Kazakh children had achieved to date and, in particular, how many Kazakh children had gained access to education and textbooks in the Kazakh language since 2001.

30. **Mr. Rivas Posada** said that the State party's thorough reply to question 24 on the corporal punishment of children, which detailed the relevant provisions of its Law on Education and various orders of the Ministry of Education, showed a genuine commitment to providing children with a stimulating school environment where their physical and emotional rights were respected. He would be interested to learn whether corporal punishment was prohibited in other circumstances, such as penal and alternative childcare settings. With respect to question 25 on domestic violence, he would like to know to what extent the right of protection from marital rape had been discussed in Mongolia.

31. **Mr. Bouzid**, noting the close connection between judiciary corruption and access to a fair trial, asked whether any proceedings had been instituted against judges for corruption. Also, in reference to the scarcity of lawyers mentioned by Mr. Thelin, he wished to know how many lawyers there were in Mongolia.

32. **Sir Nigel Rodley** said that it was unclear whether the alternative military service described in the State party's reply was the sole form of alternative service available, or whether conscientious objectors could choose a separate, non-military form. If there was no civilian option, it was not clear how the needs of conscientious objectors were being met.

33. **Ms. Chanet** said that she would like to know the grounds for which judges could be legally disciplined or dismissed. In addition to receiving such guarantees, salary, wages and remunerations as were provided for in the Law on Civil Service, according to the report (CCPR/C/MNG/5), judges who worked efficiently were eligible for loans to finance their studies or build their apartments. The Chief Justice of the Supreme Court enjoyed diplomatic immunity, and his or her person and residence were considered inviolable. First, she wished to know how the term "efficiency" was understood in relation to a judge. Secondly, although the purpose of granting judges such extraordinary perquisites and privileges might be to discourage corruption, it could also be perceived — perhaps rightly — as making them dependent on the executive branch for their exceptional position of privilege.

34. The periodic report stated that advocates practised under the auspices of the State. However, advocates were not public employees, and she wondered what guarantees existed to ensure their independence. She would like to know how advocates were compensated and, in general, how the law was practised in Mongolia.

35. *The meeting was suspended at 11.20 a.m. and resumed at 11.40 a.m.*

36. **The Chairperson** invited the delegation to respond to the questions raised by the Committee regarding questions 17 to 29 in the list of issues.

37. **Mr. Bayasgalan** (Mongolia), said that the Ministry would soon submit the draft legislation on human trafficking to the Cabinet for further consideration and he was hopeful that it would pass during the spring session. Although the draft law contained provisions to protect witnesses and victims, the Ministry was in the process of drafting a separate law on witness and victim protection. Mongolia would utilize the capacity already built by NGOs, such as the shelters to which Mr. Iwasawa had referred, and would provide the NGOs with technical and financial support to expand their programmes. As for the courts' reluctance to apply article 113 of the Criminal Code, it was probably due to a lack of familiarity with a

relatively new article of law, which pointed to a need to educate the relevant institutions about the article. However, while human trafficking was understood to be cross-border human trafficking under Mongolian law, it could have a broader meaning, and the State might do well to bring organized prostitution under that heading. Lastly, regarding administrative or disciplinary actions taken against high-ranking police officers for involvement in human trafficking, he did not have sufficient information and would need to report later in writing.

38. With respect to dissemination of information about the Covenant, prior to 2005 only a few of the international treaties and conventions to which Mongolia was a party had been published in Mongolia. A unified volume was now available through the National Legal Centre, and the subject of international treaties and conventions had been incorporated into the law school curriculum. Information would be systematically disseminated to the public on a regular basis.

39. In answer to Mr. Thelin's questions in connection with the July 2008 riot, he said that only 270 of the 300 people charged had actually been brought to trial; in other words, more than 30 cases had been dismissed. On the subject of judicial corruption and the independence of the judiciary, he said that there was a big gap between public perception and the facts, since the records of the Anti-Corruption Agency showed only one complaint against the courts. As part of the President's legal reform initiative, anti-corruption officials were monitoring the independence of the courts and seeking to restore public confidence. The independence of the judiciary would also be a topic of discussion in April 2011 during the President's legal forum, which would make recommendations on that and other issues. Lastly, despite the reference in the report to the General Council of Courts' function as a guarantor of judiciary independence, its basic role was to allocate and implement the judicial budget. It had 15 members: 3 judges, several prosecutors, the Minister of Justice and the country's high-ranking judicial officials. There were other institutions responsible for disciplining the judiciary.

40. With respect to ties between the executive branch and the Supreme Court, the Constitution prohibited any interference by the executive with the proceedings of the courts. While judiciary officials maintained that there was no interference from the executive branch, the public perception was otherwise, and it would be necessary to address any shortcomings to ensure genuine independence. The Ministry of Justice fully supported the presidential reform initiative.

41. Regarding the defamation case referred to, he was not in a position to comment on a court decision. Defamation through mass media was a prosecutable offence, although it was generally considered a matter of administrative, not criminal, law. The Ministry of Justice would review the legal provisions on defamation again during its consideration of new amendments and would take into account any NGO proposals.

42. There were indeed too few advocates in rural areas, and the State was working with the United Nations Development Programme to establish a centrally located legal aid centre in each province to provide free legal advice in criminal cases. In Mongolia, legal representation was deemed integral to legal assistance. Parliament was debating a related amendment to the Law on Advocacy, and the Ministry was in the process of drafting a comprehensive law on legal aid that would establish a nationwide legal aid network of advocates, paralegals, legal clinics and legal aid centres with the support and involvement of all stakeholders.

43. Turning to Mr. Salvioli's questions about alternative military service, he reviewed the eligibility requirements and the duties involved. The maximum period of service was two years; the minimum, six months. The number of people in alternative military service was determined by the municipal and provincial assemblies. He did not consider it discriminatory to exempt those who were physically unfit to serve in exchange for payment, but he would value the Committee's opinion as to whether that practice complied with international standards. Lastly, while some suicides had occurred during military service, the statistics did not indicate an upward trend.

44. There were no serious legal or administrative obstacles to the registration or re-registration of religious institutions. Once an application was approved by the provincial assembly, registration was only an administrative formality. The growing numbers of religious organizations represented the Buddhist, Christian, Muslim, Baha'i, Shamanist and Unification Church faiths.

45. The July 2008 events had been due, at the root, to a lack of electoral fairness and transparency, and the governing coalition formed in their wake had given considerable priority to improving that situation. A draft law on electoral reform should have been submitted to Parliament at its previous session, but it had been held back for fine-tuning and would be considered at the upcoming spring session. With respect to the repeal of the 30 per cent quota for women members of Parliament, further debate was expected, although there was no legislation pending. As for allowing Mongolian citizens abroad to vote in parliamentary elections, that right was set out in the State Great Khural elections bill, and the State had begun registering citizens living abroad and considering mechanisms for organizing the voting process. The fact that some Mongolians abroad were illegal residents added to the technical challenges. Persons serving sentences for criminal offences could not vote, but those detained pending trial enjoyed full suffrage.

46. With respect to Ms. Keller's questions, the State had tried repeatedly over a nine-year period to get a draft law on freedom of information through Parliament and would be submitting another one again that spring. The Ministry was also drafting legislation on freedom of the press that would be sent to Parliament in the course of the session. The new draft law provided a legal framework for freedom of the media, including the legal basis for the establishment of a press council. He agreed that bringing tax or other forms of pressure to bear on the media in response to the publication of information on high-ranking officials greatly jeopardized its independence. The State was attentive to NGO reports of pressure placed on the media, but it could not effect change overnight. Moreover, the media also bore a burden of responsibility.

47. With regard to stateless persons requesting asylum, in 2010 Mongolia had issued 694 immigration visas and 35 residency visas to stateless persons. It had granted citizenship to 3 people, denied citizenship to 17,550 and restored citizenship to 126. Most of the 17,550 people denied citizenship were Kazakhs. He noted that Mongolian citizens who had gone to Kazakhstan to acquire Kazakh citizenship generally held dual citizenship. A Kazakh's application for restoration of citizenship, for which certain documents were required, was evaluated and then sent to the President, who issued the restoration order. Applicants should find no obstacle to the restoration of citizenship. Under Mongolian law, a citizenship application must be approved or denied within six months. If some cases had been pending as long as 13 years, the Ministry was prepared to give them consideration.

48. With respect to the education programme for Kazakh children, between 1999 and 2007, 24 textbooks had been translated into the Kazakh language. In 2009 in Bayan-Ulgii *aimag*, 23,867 Kazakh pupils had attended 42 secondary schools. Classes were taught in Kazakh in grades 1 to 5, although some subjects were taught bilingually. The Constitution had been officially translated into Kazakh and other laws were also being translated solely out of respect for the national minority, as Mongolian was the official language. Further efforts were required to bring the Kazakh people into the decision-making process, for which purpose the advice and information of the National Human Rights Commission would prove useful.

49. In response to the query regarding the prohibition of corporal punishment in non-school settings, he said that the Law on the Protection of Children's Rights dealt with that issue in detail. At the practical level, there was a daily public information campaign on the prohibition of corporal punishment at home and at school, as well as a child abuse hotline, which had fielded more than 500 calls in 2010. Victims received psychological, legal and medical services. Mongolia would take every possible measure to introduce a culture of intolerance of violations of children's rights, which would require amendment of the Law on the Protection of Children's Rights.

50. With respect to Mr. Bouzid's questions, he said that the statistics showed little judicial corruption. However, in view of the public perception of corruption, Mongolia was working with donor countries to take the decisive measures needed to increase fairness and the perception of fairness in its judicial system.

51. The workload of Mongolia's 400 judges was generally considered somewhat heavy, but rather than increasing the number of judges, Mongolia was adopting the practice of assigning each judge an assistant to ease the burden of administrative and technical duties. Mongolia had 1,137 licensed, practising advocates. Over 80 per cent were located in

the capital, leaving the provinces — home to more than half of the population — underserved.

52. In reply to Sir Nigel Rodley's question, he said that Mongolia provided for alternative military service only. There was no civilian service option.

53. Lastly, with respect the exceptional perquisites and privileges extended to judges, their purpose was, indeed, to shield them from the temptation of corruption and guarantee their independence. Paradoxically, the public seemed to perceive such entitlements as evidence of corruption. In the final analysis, Mongolia relied on its judicial code of conduct and its criteria for the selection of judges to ensure their independence. All relevant practices would be reconsidered in the light of international best practice during the upcoming presidential forum on legal reform, which should produce recommendations on how to get back on track. Regarding the compensation of advocates, he said that they were partially or fully reimbursed for services to the poor on a sliding scale.

54. **The Chairperson** invited the members of the Committee to pose follow-up questions on questions 17 to 29 in the list of issues.

55. **Mr. Thelin** wondered whether the April forum on legal reform would consider any specific pieces of draft legislation or simply act as a springboard for future legislative measures. He was curious as to the composition of the forum and, specifically, whether NGOs would be able to take part.

56. **Mr. Iwasawa** reminded the delegation of Ms. Keller's request for comments on the extensive use of libel cases against journalists. He would also be interested to hear the delegation's comments on reports that there had been numerous attacks on journalists, that the non-State media news was censured and that sometimes only State media was allowed in Parliament.

57. The principle of *non-refoulement* governed the handling of requests for asylum, which were conspicuously absent in Mongolia. He noted that Mongolia was a party to the Convention against Torture and thus had agreed not to return a person to another State where he would be in danger of torture. Under the Convention relating to the Status of Refugees, contracting States agreed to not to return a refugee to a State where his life or freedom would be threatened, and he wondered whether Mongolia was willing to respect the principle of *non-refoulement* thus defined, even though it was not yet a party to the Convention.

58. **Sir Nigel Rodley** said that, although there had been no conscientious objectors in Mongolia during the reporting period, thousands had performed alternative military service from 2000 to 2009. He would like to know the criteria for choosing or being chosen for alternative military service.

59. **Mr. Fathalla** wondered whether the payment for exemption from military service was a fixed amount, or based on financial resources. He would also like to know the nature of the technical issues mentioned in connection with laying the groundwork for Mongolians living abroad to vote. Lastly, with respect to the judiciary's diplomatic immunity, he wished to know whether it was true diplomatic immunity, as defined in the Vienna Convention on Diplomatic Relations, or whether it was actually judicial immunity, which was granted in many countries to ensure judiciary independence and transparency.

60. **Mr. Bayasgalan** (Mongolia), replying to Mr. Thelin, said that the legal forum on reform was modelled on the World Economic Forum in Davos and would have similar participants, including NGOs. He expected it to produce tangible results that would be of great help in making the necessary legislative amendments.

61. In answer to the question about libel suits against journalists, he said that there were frequent exchanges of accusations between journalists and the subjects of their reporting in Mongolia, and some people did in fact sue for libel. Journalists had a duty and a responsibility to ensure the accuracy of their reports, and citizens had a right to sue if they did not. As for media censorship, Mongolia no longer had State-run media. Its former media channels were now public-private ventures jointly controlled by all stakeholders, including NGOs.

62. With respect to the principle of *non-refoulement*, Mongolia was bound by its Constitution to comply with internationally recognized principles of law, and it therefore recognized the principle of *non-refoulement* as defined in the Refugee Convention, even though it was not a party.

63. In reply to the questions regarding alternative military service, he said that despite the large number of people refusing regular military service, none had done so on the basis of religious beliefs. The flat fee for exemption was 2.6 million togrogs.

64. Addressing the remainder of Mr. Fathalla's questions, he said that the technical difficulties in organizing voting for Mongolians residing abroad were mainly due to the fact that Mongolians lived all over the world and the State could not afford to have diplomatic representation in every country. With respect to the judiciary's diplomatic immunity, the Chief Justice of the Supreme Court did have true diplomatic immunity as a high-ranking government official, but that privilege might be reconsidered in the context of judiciary law reforms.

65. In closing, he hoped that he had answered all of the Committee's questions. He was grateful for its understanding and appreciation of his country. Its comments and recommendations would receive serious consideration, and every effort would be made to adopt the appropriate measures, as should be evident in Mongolia's next periodic report.

66. **The Chairperson** thanked the delegation for its very comprehensive oral replies. The Committee welcomed the ongoing legal process of ratifying the Convention's Second Optional Protocol. It appreciated the precedence of international over domestic law in Mongolia, as well as the country's efforts to improve the status of women. However, it had lingering concerns, particularly with respect to the judicial response to the July 2008 events, the independence of the judiciary, the role and mandate of the National Human Rights Commission, the low representation of women in public life, and the continued absence of a law on freedom of information.

The meeting rose at 1.05 p.m.